

COURT OF COMMON PLEAS OF MONROE COUNTY

DOCKET



Docket Number: CP-45-CR-0002596-2018

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Luis Manuel Montero

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CASE INFORMATION

<u>Judge Assigned:</u> Higgins, Stephen M.	<u>Date Filed:</u> 11/21/2018	<u>Initiation Date:</u> 06/19/2018
<u>OTN:</u> U 597615-4	<u>Originating Docket No:</u> MJ-43402-CR-0000136-2018	
<u>Initial Issuing Authority:</u> Phillip R. Riley	<u>Final Issuing Authority:</u> Phillip R. Riley	
<u>Arresting Agency:</u> Monroe County District Attorney's Office	<u>Arresting Officer:</u> Webbe, Brian S.	
<u>Complaint/Incident #:</u> 20180529M0411		
<u>Case Local Number Type(s)</u>	<u>Case Local Number(s)</u>	

STATUS INFORMATION

<u>Case Status:</u> Closed	<u>Status Date:</u>	<u>Processing Status:</u>	<u>Complaint Date:</u> 06/19/2018
	03/13/2019	Sentenced/Penalty Imposed	
	01/02/2019	Awaiting PSI	
	01/02/2019	Awaiting Sentencing	
	11/21/2018	Awaiting Formal Arraignment	
	11/21/2018	Awaiting Filing of Information	

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Time</u>			<u>Status</u>
Formal Arraignment	01/02/2019	8:30 am	Courtroom 1	Judge Stephen M. Higgins	Scheduled
Sentencing	03/11/2019	9:00 am	Courtroom 3	Judge Stephen M. Higgins	Scheduled

CONFINEMENT INFORMATION

<u>Confinement</u>	<u>Confinement</u>	<u>Destination</u>	<u>Confinement</u>	<u>Still in</u>
<u>Known As Of</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>Custody</u>
11/08/2018	County Jail	Monroe County Prison		Yes

DEFENDANT INFORMATION

<u>Date Of Birth:</u>	04/04/1999	<u>City/State/Zip:</u> Cresco, PA 18326
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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Montero, Luis Manuel

BAIL INFORMATION

Montero, Luis Manuel					Nebbia Status: None
<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	
					<u>Bail Posting Status</u> <u>Posting Date</u>
Set	11/08/2018	Monetary		\$100,000.00	

CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
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CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	F2	18 § 901 §\$A	Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	10/01/2017	U 597615-4
2	5	F3	18 § 6312 §\$D	Child Pornography	10/01/2017	U 597615-4
3	7	F3	18 § 6318 §\$A5	Contact/Comm.W/Minor-Sexual Abuse	10/01/2017	U 597615-4
4	11	F3	18 § 7512 §\$A	Criminal Use Of Communication Facility	10/01/2017	U 597615-4
5	15	M1	18 § 6301 §\$A1i	Corruption Of Minors	10/01/2017	U 597615-4
6	19	M1	18 § 2709.1 §\$A2	Stalking - Repeatedly Comm. To Cause Fear	10/01/2017	U 597615-4
99999	8	F2	18 § 6318 §\$A5	Contact/Comm.W/Minor-Sexual Abuse	10/01/2017	U 597615-4
99999	9	F2	18 § 6318 §\$A5	Contact/Comm.W/Minor-Sexual Abuse	10/01/2017	U 597615-4
99999	10	F2	18 § 6318 §\$A5	Contact/Comm.W/Minor-Sexual Abuse	10/01/2017	U 597615-4
99999	12	F3	18 § 7512 §\$A	Criminal Use Of Communication Facility	10/01/2017	U 597615-4
99999	13	F3	18 § 7512 §\$A	Criminal Use Of Communication Facility	10/01/2017	U 597615-4
99999	14	F3	18 § 7512 §\$A	Criminal Use Of Communication Facility	10/01/2017	U 597615-4
99999	16	M1	18 § 6301 §\$A1i	Corruption Of Minors	10/01/2017	U 597615-4
99999	17	M1	18 § 6301 §\$A1i	Corruption Of Minors	10/01/2017	U 597615-4
99999	18	M1	18 § 6301 §\$A1i	Corruption Of Minors	10/01/2017	U 597615-4
99999	6	F3	18 § 6312 §\$D	Child Pornography	10/01/2017	U 597615-4
99999	2	F2	18 § 901 §\$A	Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	10/01/2017	U 597615-4
99999	3	F2	18 § 901 §\$A	Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	10/01/2017	U 597615-4
99999	4	F2	18 § 901 §\$A	Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	10/01/2017	U 597615-4

DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

Waived for Court (Lower Court)

Defendant Was Present

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Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			
Lower Court Disposition	11/15/2018	Not Final	
1 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Waived for Court (Lower Court)	F2	18 § 901 §§ A
2 / Child Pornography	Waived for Court (Lower Court)	F3	18 § 6312 §§ D
3 / Contact/Comm.W/Minor-Sexual Abuse	Waived for Court (Lower Court)	F3	18 § 6318 §§ A5
4 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
5 / Corruption Of Minors	Waived for Court (Lower Court)	M1	18 § 6301 §§ A1i
6 / Stalking - Repeatedly Comm. To Cause Fear	Waived for Court (Lower Court)	M1	18 § 2709.1 §§ A2
99,999 / Child Pornography	Waived for Court (Lower Court)	F3	18 § 6312 §§ D
99,999 / Contact/Comm.W/Minor-Sexual Abuse	Waived for Court (Lower Court)	F2	18 § 6318 §§ A5
99,999 / Corruption Of Minors	Waived for Court (Lower Court)	M1	18 § 6301 §§ A1i
99,999 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Waived for Court (Lower Court)	F2	18 § 901 §§ A
99,999 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
Proceed to Court	Defendant Was Not Present		
Information Filed	01/02/2019	Not Final	
1 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Proceed to Court	F2	18 § 901 §§ A
2 / Child Pornography	Proceed to Court	F3	18 § 6312 §§ D
3 / Contact/Comm.W/Minor-Sexual Abuse	Proceed to Court	F3	18 § 6318 §§ A5
4 / Criminal Use Of Communication Facility	Proceed to Court	F3	18 § 7512 §§ A
5 / Corruption Of Minors	Proceed to Court	M1	18 § 6301 §§ A1i
6 / Stalking - Repeatedly Comm. To Cause Fear	Proceed to Court	M1	18 § 2709.1 §§ A2
99,999 / Child Pornography	Withdrawn	F3	18 § 6312 §§ D
99,999 / Contact/Comm.W/Minor-Sexual Abuse	Withdrawn	F2	18 § 6318 §§ A5
99,999 / Corruption Of Minors	Withdrawn	M1	18 § 6301 §§ A1i
99,999 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Withdrawn	F2	18 § 901 §§ A
99,999 / Criminal Use Of Communication Facility	Withdrawn	F3	18 § 7512 §§ A
Guilty Plea			
Formal Arraignment	01/02/2019	Final Disposition	
1 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Proceed to Court	F2	18 § 901 §§ A
2 / Child Pornography	Proceed to Court	F3	18 § 6312 §§ D

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<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			
3 / Contact/Comm.W/Minor-Sexual Abuse	Proceed to Court	F3	18 § 6318 §§ A5
4 / Criminal Use Of Communication Facility	Guilty Plea	F3	18 § 7512 §§ A
5 / Corruption Of Minors	Proceed to Court	M1	18 § 6301 §§ A1i
6 / Stalking - Repeatedly Comm. To Cause Fear	Guilty Plea	M1	18 § 2709.1 §§ A2
99,999 / Child Pornography	Withdrawn	F3	18 § 6312 §§ D
99,999 / Contact/Comm.W/Minor-Sexual Abuse	Withdrawn	F2	18 § 6318 §§ A5
99,999 / Corruption Of Minors	Withdrawn	M1	18 § 6301 §§ A1i
99,999 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Withdrawn	F2	18 § 901 §§ A
99,999 / Criminal Use Of Communication Facility	Withdrawn	F3	18 § 7512 §§ A
Nolle Prossed (Post-Disposition)			
Formal Arraignment	03/13/2019	Not Final	
1 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child Higgins, Stephen M.	Nolle Prossed (Post-Disposition) 03/13/2019	F2	18 § 901 §§ A
2 / Child Pornography Higgins, Stephen M.	Nolle Prossed (Post-Disposition) 03/13/2019	F3	18 § 6312 §§ D
3 / Contact/Comm.W/Minor-Sexual Abuse Higgins, Stephen M.	Nolle Prossed (Post-Disposition) 03/13/2019	F3	18 § 6318 §§ A5
4 / Criminal Use Of Communication Facility Higgins, Stephen M. Probation	Guilty Plea 03/13/2019 Min of 2.00 Years Max of 2.00 Years 2 Years Defendant shall pay a \$35.00 per month supervisory fee in accordance with Act 35 of 1991. Probation Department is directed to obtain a DNA blood sample and fingerprints from the Defendant pursuant to Act 185 of 2004, pay the \$250.00 associated therewith.	F3	18 § 7512 §§ A
5 / Corruption Of Minors Higgins, Stephen M.	Nolle Prossed (Post-Disposition) 03/13/2019	M1	18 § 6301 §§ A1i
6 / Stalking - Repeatedly Comm. To Cause Fear	Guilty Plea	M1	18 § 2709.1 §§ A2

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Disposition

Case Event

Disposition Date

Final Disposition

Sequence/Description

Offense Disposition

Grade Section

Sentencing Judge

Sentence Date

Credit For Time Served

Sentence/Diversion Program Type

Incarceration/Diversionary Period

Start Date

Sentence Conditions

Higgins, Stephen M.
Probation

03/13/2019
Min of 1.00 Years
Max of 1.00 Years
1 Year

No contact with the minor victim in this case.

The Defendant's use of the Internet shall be restricted to employment purposes.

99,999 / Child Pornography	Withdrawn	F3	18 § 6312 §§ D
Higgins, Stephen M.	03/13/2019		
99,999 / Contact/Comm.W/Minor-Sexual Abuse	Withdrawn	F2	18 § 6318 §§ A5
Higgins, Stephen M.	03/13/2019		
99,999 / Corruption Of Minors	Withdrawn	M1	18 § 6301 §§ A1i
Higgins, Stephen M.	03/13/2019		
99,999 / Criminal Attempt - Photograph/Film/Depict on Computer Sex Act - Knowingly or Permitting Child	Withdrawn	F2	18 § 901 §§ A
Higgins, Stephen M.	03/13/2019		
99,999 / Criminal Use Of Communication Facility	Withdrawn	F3	18 § 7512 §§ A
Higgins, Stephen M.	03/13/2019		

LINKED SENTENCES:

Link 1

CP-45-CR-0002596-2018 - Seq. No. 6 (18§ 2709.1 §§ A2) - Probation is Concurrent with
CP-45-CR-0002596-2018 - Seq. No. 4 (18§ 7512 §§ A) - Probation

Link 2

CP-45-CR-0002596-2018 - Seq. No. 6 (18§ 2709.1 §§ A2) - Probation is Consecutive to
CP-45-CR-0002597-2018 - Seq. No. 1 (35§ 780-113 §§ A30) - Confinement

Link 3

CP-45-CR-0002596-2018 - Seq. No. 4 (18§ 7512 §§ A) - Probation is Concurrent with
CP-45-CR-0002597-2018 - Seq. No. 1 (35§ 780-113 §§ A30) - Confinement

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COMMONWEALTH INFORMATION

Name: Michael T. Rakaczewski

District Attorney

Supreme Court No: 081290

Phone Number(s):
570-420-3470 (Phone)

Address:
Monroe Co Da's Office
610 Monroe St Ste 126
Stroudsburg, PA 18360-2275

Name: Monroe County District Attorney's
Office
District Attorney

Supreme Court No:

Phone Number(s):
570-517-3052 (Phone)

Address:
Monroe County Courthouse
7th & Monroe Streets
Stroudsburg, PA 18360

ATTORNEY INFORMATION

Name: Monroe County Public Defender's

Office
Public Defender

Supreme Court No:

Rep. Status: Active

Phone Number(s):
Address:
7th and Monroe Streets
Stroudsburg, PA 18360

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/08/2018		Riley, Phillip R.
Bail Set - Montero, Luis Manuel			
1	11/21/2018		Court of Common Pleas - Monroe County
Original Papers Received from Lower Court			
Rakaczewski, Michael T.			
11/21/2018	eService		Served
1	01/02/2019		Christine, E. David
Information Filed			
Closs, Eric Carl			
01/02/2019	eService		Served
Monroe County District Attorney's Office			
01/02/2019	eService		Served
Monroe County Public Defender's Office			
01/02/2019	eService		Served
Rakaczewski, Michael T.			
01/02/2019	eService		Served

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<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
5	01/02/2019		Monroe County Public Defender's Office Montero, Luis Manuel
Written Guilty Plea Colloquy			
Closs, Eric Carl			
01/02/2019	eService		Served
Monroe County District Attorney's Office			
01/02/2019	eService		Served
Rakaczewski, Michael T.			
01/02/2019	eService		Served

6	01/02/2019		Higgins, Stephen M.
Order Accepting Guilty Plea / Sentencing Scheduled 3/11/19 9:00AM CR#3			
Closs, Eric Carl			
01/03/2019	eService		Served
Monroe County Correctional Facility			
01/03/2019	Clerk of Court's Boxes		
Monroe County Court Administration			
01/03/2019	Clerk of Court's Boxes		
Monroe County District Attorney's Office			
01/03/2019	Clerk of Court's Boxes		
Monroe County District Attorney's Office			
01/03/2019	eService		Served
Monroe County Probation			
01/03/2019	Clerk of Court's Boxes		
Monroe County Public Defender's Office			
01/03/2019	Clerk of Court's Boxes		
Monroe County Public Defender's Office			
01/03/2019	eService		Served
Monroe County Sheriff			
01/03/2019	Clerk of Court's Boxes		
Rakaczewski, Michael T.			
01/03/2019	eService		Served

1	03/11/2019		Montero, Luis Manuel
Written Post Sentence Rights			
Closs, Eric Carl			
03/11/2019	eService		Served

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<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Monroe County District Attorney's Office			
03/11/2019	eService		Served
Monroe County Public Defender's Office			
03/11/2019	eService		Served
Rakaczewski, Michael T.			
03/11/2019	eService		Served
<hr/>			
2	03/11/2019		Monroe County Public Defender's Office
Motion to Reconsider			
Closs, Eric Carl			
03/11/2019	eNotice		Notified
Monroe County District Attorney's Office			
03/11/2019	eNotice		Notified
Rakaczewski, Michael T.			
03/11/2019	eNotice		Notified
<hr/>			
1	03/12/2019		Monroe County Probation Department
Guideline Sentence Form			
Closs, Eric Carl			
03/12/2019	eService		Served
Monroe County District Attorney's Office			
03/12/2019	eService		Served
Monroe County Public Defender's Office			
03/12/2019	eService		Served
Rakaczewski, Michael T.			
03/12/2019	eService		Served
<hr/>			
1	03/13/2019		Higgins, Stephen M.
Nolle Prossed (Post-Disposition)			
Closs, Eric Carl			
03/16/2019	eService		Served
Monroe County District Attorney's Office			
03/16/2019	eService		Served
Monroe County Public Defender's Office			
03/16/2019	eService		Served
Rakaczewski, Michael T.			
03/16/2019	eService		Served

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
2	03/13/2019	03/11/2019	Higgins, Stephen M.
Order - Sentence/Penalty Imposed			
Monroe County Correctional Facility			
03/14/2019	Clerk of Court's Boxes		
Monroe County Court Administration			
03/14/2019	Clerk of Court's Boxes		
Monroe County District Attorney's Office			
03/14/2019	Clerk of Court's Boxes		
Monroe County Probation Department			
03/14/2019	Clerk of Court's Boxes		
Monroe County Public Defender's Office			
03/14/2019	Clerk of Court's Boxes		
Monroe County Sheriff's Department			
03/14/2019	Clerk of Court's Boxes		
Closs, Eric Carl			
03/16/2019	eService		Served
Monroe County District Attorney's Office			
03/16/2019	eService		Served
Monroe County Public Defender's Office			
03/16/2019	eService		Served
Rakaczewski, Michael T.			
03/16/2019	eService		Served
1	03/14/2019		Monroe County District Attorney's Office
Commonwealth's Answer to Defendant's Motion For Reconsideration of Sentence			
Closs, Eric Carl			
03/14/2019	eNotice		Notified
Monroe County Public Defender's Office			
03/14/2019	eNotice		Notified
Rakaczewski, Michael T.			
03/14/2019	eService		Served
1	03/16/2019		Court of Common Pleas - Monroe County
Penalty Assessed			
Closs, Eric Carl			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
03/16/2019	eService		Served
Monroe County District Attorney's Office			
03/16/2019	eService		Served
Monroe County Public Defender's Office			
03/16/2019	eService		Served
Rakaczewski, Michael T.			
03/16/2019	eService		Served

2	03/16/2019		Court of Common Pleas - Monroe County
Entry of Civil Judgment			
Closs, Eric Carl			
03/16/2019	eService		Served
Monroe County District Attorney's Office			
03/16/2019	eService		Served
Monroe County Public Defender's Office			
03/16/2019	eService		Served
Rakaczewski, Michael T.			
03/16/2019	eService		Served

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CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Montero, Luis Manuel Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
ATJ	\$6.00	\$0.00	\$0.00	\$0.00	\$6.00
Automation Fee (Monroe)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Booking Center Fee (Monroe)	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
CJES	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50
Commonwealth Cost - HB627 (Act 167 of 1992)	\$21.10	\$0.00	\$0.00	\$0.00	\$21.10
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$30.80	\$0.00	\$0.00	\$0.00	\$30.80
Court Costs (Monroe)	\$75.00	\$0.00	\$0.00	\$0.00	\$75.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
OAG - JCP	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50
State Court Costs (Act 204 of 1976)	\$14.10	\$0.00	\$0.00	\$0.00	\$14.10
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
OSP (Monroe/State) (Act 35 of 1991)	\$420.00	\$0.00	\$0.00	\$0.00	\$420.00
OSP (Monroe/State) (Act 35 of 1991)	\$420.00	\$0.00	\$0.00	\$0.00	\$420.00
Judgment Fee (Monroe)	\$75.25	\$0.00	\$0.00	\$0.00	\$75.25
Costs/Fees Totals:	\$1,776.50	\$0.00	\$0.00	\$0.00	\$1,776.50
Grand Totals:	\$1,776.50	\$0.00	\$0.00	\$0.00	\$1,776.50

** - Indicates assessment is subrogated